

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TORIKAI et al.

Serial No.: 09/190,235

Filed: November 13, 1998



Group Art Unit: 3683

Examiner: B. Pezzlo

Attorney Docket No. 107348-08078

For: VIBRATION SOUND REDUCING DEVICE, AND PROCESS FOR ASSEMBLING ELASTIC MEMBRANE IN VIBRATION SOUND REDUCING DEVICE

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JAN 27 2004

GROUP 3600

Sir:

Petitioner, HONDA GIKEN KOGYO KABUSHIKI KAISHA, having its place of business at 1-1, Minami-Aoyama 2-chome, Minato-ku, Tokyo, Japan, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application No. 09/190,235, filed November 13, 1998 for VIBRATION SOUND REDUCING DEVICE, AND PROCESS FOR ASSEMBLING ELASTIC MEMBRANE IN VIBRATION SOUND REDUCING DEVICE, the assignment for the application being recorded in the Patent and Trademark Office on February 8, 1999 at Reel 9761, Frame 0541.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on U.S. Patent Application No. 09/190,235, which would extend beyond the expiration date of U.S. Patent No. 5,964,195, and hereby agrees that any patent so granted on U.S. Patent Application No. 09/190,235, shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to U.S. Patent No.

5,964,195, this agreement to run with any patent granted on U.S. Patent Application No. 09/190,235 and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 5,964,195 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, Honda Giken Kogyo Kabushiki Kaisha, hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

Respectfully submitted,

Honda Giken Kogyo Kabushiki Kaisha

By: Hiroshi Okubo

Title: Senior Managing and Representative Director

Date: Jan. 9, 2004